

**§ 4203.4 Requests for PBGC approval of plan amendments.**

(a) *Filing of request*—(1) *In general.* A plan shall apply to the PBGC for approval of a plan amendment which establishes special complete or partial withdrawal liability rules. The request for approval shall be filed after the amendment is adopted. PBGC approval shall also be required for any subsequent modification of the plan amendment, other than a repeal of the amendment which results in employers being subject to the general statutory rules on withdrawal.

(2) *Method of filing.* The PBGC applies the rules in subpart A of part 4000 of this chapter to determine permissible methods of filing with the PBGC under this part.

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(c) *Where to file.* See § 4000.4 of this chapter for information on where to file.

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**PART 4204—VARIANCES FOR SALE OF ASSETS**

■ 35. The authority citation for part 4204 continues to read as follows:

**Authority:** 29 U.S.C. 1302(b)(3), 1384(c).

■ 36. Amend § 4204.11 as follows:

■ a. In the first sentence of paragraph (b), remove the word “filed” and add in its place the word “submitted”.

■ b. Add new paragraph (e) to read as follows:

**§ 4204.11 Variance of the bond/escrow and sale-contract requirements.**

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(e) *Method and date of issuance.* The PBGC applies the rules in subpart B of part 4000 of this chapter to determine permissible methods of issuance under this subpart. The PBGC applies the rules in subpart C of part 4000 of this chapter to determine the date that an issuance under this subpart was provided.

■ 37. Amend § 4204.21 by revising paragraphs (a) and (c) to read as follows:

**§ 4204.21 Requests to PBGC for variances and exemptions.**

(a) *Filing of request*—(1) *In general.* If a transaction covered by this part does not satisfy the conditions set forth in subpart B of this part, or if the parties decline to provide to the plan privileged or confidential financial information within the meaning of section 552(b)(4) of the Freedom of Information Act (5 U.S.C. 552), the purchaser or seller may request from the PBGC an exemption or variance from the requirements of section 4204(a)(1)(B) and (C) of ERISA.

(2) *Method of filing.* The PBGC applies the rules in subpart A of part

4000 of this chapter to determine permissible methods of filing with the PBGC under this subpart.

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(c) *Where to file.* See § 4000.4 of this chapter for information on where to file.

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**PART 4207—REDUCTION OR WAIVER OF COMPLETE WITHDRAWAL LIABILITY**

■ 38. The authority citation for part 4207 continues to read as follows:

**Authority:** 29 U.S.C. 1302(b)(3), 1387.

■ 39. Amend § 4207.10 by revising paragraph (c) of this chapter to read as follows:

**§ 4207.10 Plan rules for abatement.**

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(c) *Where to file.* See § 4000.4 of this chapter for information on where to file.

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■ 40. Add § 4207.11 to read as follows:

**§ 4207.11 Method of filing; method and date of issuance.**

(a) *Method of filing.* The PBGC applies the rules in subpart A of part 4000 of this chapter to determine permissible methods of filing with the PBGC under this part.

(b) *Method of issuance.* The PBGC applies the rules in subpart B of part 4000 of this chapter to determine permissible methods of issuance under this part.

(c) *Date of issuance.* The PBGC applies the rules in subpart C of part 4000 of this chapter to determine the date that an issuance under this part was provided.

**PART 4208—REDUCTION OR WAIVER OF PARTIAL WITHDRAWAL LIABILITY**

■ 41. Revise the authority citation for part 4208 to read as follows:

**Authority:** 29 U.S.C. 1302(b)(3), 1388(c) and (e).

■ 42. Amend § 4208.9 by revising paragraph (c) to read as follows:

**§ 4208.9 Plan adoption of additional abatement conditions.**

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(c) *Where to file.* See § 4000.4 of this chapter for information on where to file.

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■ 43. Add § 4208.10 to read as follows:

**§ 4208.10 Method of filing; method and date of issuance.**

(a) *Method of filing.* The PBGC applies the rules in subpart A of part 4000 of this chapter to determine permissible methods of filing with the PBGC under this part.

(b) *Method of issuance.* The PBGC applies the rules in subpart B of part 4000 of this chapter to determine permissible methods of issuance under this part.

(c) *Date of issuance.* The PBGC applies the rules in subpart C of part 4000 of this chapter to determine the date that an issuance under this part was provided.

**PART 4211—ALLOCATING UNFUNDED VESTED BENEFITS TO WITHDRAWING EMPLOYERS**

■ 44. The authority citation for part 4211 continues to read as follows:

**Authority:** 29 U.S.C. 1302(b)(3); 1391(c)(1), (c)(2)(D), (c)(5)(A), (c)(5)(B), (c)(5)(D), and (f).

■ 45. Amend § 4211.22 by revising paragraphs (a) and (c) to read as follows:

**§ 4211.22 Requests for PBGC approval.**

(a) *Filing of request*—(1) *In general.* A plan shall submit a request for approval of an alternative allocation method or modification to an allocation method to the PBGC in accordance with the requirements of this section as soon as practicable after the adoption of the amendment.

(2) *Method of filing.* The PBGC applies the rules in subpart A of part 4000 of this chapter to determine permissible methods of filing with the PBGC under this subpart.

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(c) *Where to submit.* See § 4000.4 of this chapter for information on where to file.

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**PART 4219—NOTICE, COLLECTION AND REDETERMINATION OF WITHDRAWAL LIABILITY**

■ 46. The authority citation for part 4219 continues to read as follows:

**Authority:** 29 U.S.C. 1302(b)(3), 1388(c) and (e).

■ 47. Amend § 4219.17 by revising paragraphs (a), (d) and (e) to read as follows:

**§ 4219.17 Filings with PBGC.**

(a) *Filing requirements*—(1) *In general.* The plan sponsor shall file with PBGC a notice that a mass withdrawal has occurred and separate certifications that determinations of redetermination liability and reallocation liability have been made and notices provided to employers in accordance with this subpart.

(2) *Method of filing.* The PBGC applies the rules in subpart A of part 4000 of this chapter to determine